



**AGENDA ITEM**  
**NO. 5**

## **MEMORANDUM**

**To: PLANNING COMMISSION**

**Date: May 8, 2007**

**From: COMMUNITY DEVELOPMENT DEPARTMENT**

**Subject: REVIEW OF RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) PROJECTS THAT ARE BEHIND SCHEDULE AND CONSIDER TRANSFER OF FISCAL YEAR BUILDING ALLOCATIONS BETWEEN RDCS PROJECTS**

### **REQUEST**

### **RECOMMENDATION**

Discuss the status of current RDCS projects that are behind schedule and consider possible transfer of fiscal year building allocations between projects. Provide direction to staff to implement any agreed upon trades/transfers.

Staff recommends the Commission consider one possible trade between application MC-04-04: Diana-Chan and application MC-04-13: Barrett-Odishoo (Murray/Dunne) as outlined in the following sections of this memorandum.

### **BACKGROUND**

On April 24, 2007, the Planning Commission reviewed the RDCS 1<sup>st</sup> Quarter Progress Report for 2007. The report identified eight residential projects that were behind schedule. The Commission asked staff to contact these applicants and schedule an item for the May 8, 2007 Planning Commission meeting to further review the status of these project and to consider a possible transfer/trade of fiscal year building allotments between the projects that are behind schedule and the projects that have received their entitlements and would be able to build within the fiscal year of the allotment. The attached table lists the projects that would be in a position to trade fiscal year building allocations. A letter was sent to the applicants for each of the projects listed requesting their attendance at the May 8 Planning Commission meeting.

At the March 13, 2007 meeting, the Planning Commission approved procedures for the transfer of fiscal year building allotments between projects. The following are the rules that apply to a transfer:

1. The transfer of fiscal year building allotments does not apply to the current fiscal year allotment (FY 2006-07) or to building allotments that were extended from the prior fiscal year (FY 05-06) into the current fiscal year.
2. Transfer of building allotments must occur so that the receiving project has sufficient lead time to obtain the building permit and commence construction prior to the June 30 deadline.
3. The transfer must work as a trade between two developments. Transfer allotments cannot be sold to another development.
4. The transfer may apply to partially allocated and fully allocated developments.
5. Both on-going and recently allocated first time projects may transfer building allotments; however, a new, first time project must have an approved vesting tentative map and approved development agreement, if the transfer of allotments occurs after December 31 of the fiscal year.

Staff previously conducted a survey of all RDCS project developers to determine which projects are able to receive a fiscal year 2007-08 building allotment in trade for a fiscal year 2008-09 or 2009-10 allotment. We identified four projects that would like to trade their fiscal year 2008-09 or 2009-10 allotment for a fiscal year 2007-08 allotment. The four projects are MC-04-13: Barrett – Odishoo; MC-04-21: Barrett – Syncon Homes; MC-04-12: E. Dunne – Dempsey (Jasper Park) and MC-04-22: Jarvis – South County Developers. While these four projects would like to advance the timing of their allotments, none of the current applicants are proposing to trade allotments.

**Staff Recommended Trade Consideration:**

Staff finds that the Barrett-Odishoo project would be a good candidate to receive a fiscal year 2007-08 allotment in trade for their 2008-09 allotment. The Odishoo project was awarded 5 allotments in FY 2007-08 and 13 allotments in FY 2008-09. If this project could trade their 13 allotments in FY 08-09 for 13 allotments in FY 07-08, the project could be completed a year earlier than under their current development schedule. The project is under construction, completing the 5 units allotted for FY 2007-08 and will be obtaining approval of the final map and improvement plans for the 13 units allotted for FY 2008-09. That approval is expected within the next two weeks. The applicant for this project would accept a FY 2007-08 allotment in trade for their FY 2008-09 allotment.

The best project to offer a trade would be the project under application MC-04-04: Diana-Chan. The Chan project was awarded 13 building allocations in FY 2007-08 and 5 allocations in FY 2008-09. The project has filed applications for zoning amendment, development agreement and subdivision approval. The applications are incomplete for processing and staff is waiting for funding and authorization to prepare the required CEQA document. Funding to prepare the CEQA document is not expected until a developer acquires the project from the applicant/land owners. A trade would give this project a total of 18 allotments in Fiscal Year 2008-09 (5 plus the 13 in trade) and an additional year market the project to a developer and the time needed to prepare the CEQA document and receive the needed entitlements.

In addition to the Odishoo/Chan trade, the Planning Commission should receive comments from the other applicants in attendance at the May 8 meeting to determine if other projects could be considered for possible trade of fiscal year building allocations.

**Attachments:**

Table showing Approved Distribution of Building Allotments for FY 07-08, 08-09 & 09-10.

R:\PLANNING\WP51\RD\CS\QRPT\2007\Transfer of Building Allocations.M1P.doc

**Distribution of Building Allotments for Projects  
Under Consideration to Trade Allotments for  
FY 2007-08, FY 2008-09 & FY 2009-10**

	<u>FY 2007-08</u>	<u>FY 2008-09</u>	<u>FY2009-10</u>	<u>TOTAL</u>
<b><u>OPEN MARKET COMPETITION:</u></b>				
MC-04-04: Diana – Chan	13	5	14	32
MC-04-12: E. Dunne - Dempsey	5	8	14	27
MC-04-13: Barrett – Odishoo	5	13		18
MC-04-14: Central – Hu	5	15		20
MC-04-19: E. Main – Thrust	13	13	8	34
MC-04-21: Barrett-Syncon Homes	13	5	14	32
MC-04-22: So. Valley Developers	36	28	14	78
MC-04-25: Lupine Investors	21	12		33
MC-04-26: Mission Ranch	33	15	15	63
<b><u>DOWNTOWN OPEN MARKET:</u></b>				
MC-05-05: Alcini	30			30